

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Governmental Center  
Tuesday, May 20, 2003**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
George G. Forrest, Interim County Administrator  
Donna Gebicke, Administrative Assistant to BOCC (Recorder)

**CALL TO ORDER**

The meeting was called to order at 9:05 a.m.

**APPROVAL OF CHECK REGISTER**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the Check Register. Motion carried.**

**APPROVAL OF MINUTES**

**Commissioner Dement moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, May 13, 2003, as amended. Motion carried.**

**PROCLAMATION: NATIONAL PUBLIC WORKS WEEK MAY 18-24**

The theme for National Public Works Week is: "The Strength of Public Works." George Erichsen, Director of Public Works and Transportation, stated that input from the community is important to the overall success of all public works' operations and comments are appreciated.

**RECREATION AND PARKS DEPARTMENT MONTHLY UPDATE**

**Present:** Phil Rollins, Director Rec & Parks

Mr. Rollins gave an update on projects:

- Chaptico Park
  - Only one bid was received and it was within budget.
  - Construction is expected to begin in early June.
- Wicomico Golf Clubhouse Renovation/Replacement
  - The task force held their first meeting with all participants present.
  - A draft report will be available June 10 to the Commissioners.
- Great Mills Swimming Pool
  - Expect completion in August.
  - Entrance road needs improvement and George Erichsen will review the road. A report to the Board will follow.
  - Pool is anticipated to be self-supporting. Deficit funding, should it be required, will not be provided in the near term.
- Nicolet Park
  - Weather has hampered completion.
  - Skatepark and restrooms are nearing completion. Playground has been installed.
  - Awaiting State Dept. of Health approval on sprayground.
  - Anticipate opening late June.
- Three Notch Trail
  - A firm has been selected to design and engineer phase I of the trail and construction is underway (one-mile section of road, Rte. 236/New Market/Veterans Home/Senior Center). *Commissioner McKay recommended considering DPW&T design future lengths of trail. More discussions will follow. (Mr. Erichsen stated he would be happy to assist in this matter.)*
  - Anticipate construction will start in late fall or spring 2004.

*Commissioner McKay requested Mr. Rollins attend the next budget work meeting to discuss the Museum Director's position. Commissioner Raley asked Mr. Rollins if a key factor in the accreditation process requires a museum director who is certified; and, if so, do we have in-house staff that could meet that standard.*

## **PUBLIC WORKS AND TRANSPORTATION DEPARTMENT MONTHLY UPDATE**

Present: George Erichsen, Director DPW&T

Mr. Erichsen offered self-supporting initiatives to highlight:

- About 14,000 vehicles enter convenience centers every month.
- Awaiting a 22% recycling rate approval from the State.
- Maryland Water Quality Revolving Loan Fund for land fill closure was approved on May 10. Bid documents are ready and construction will begin by July 1.
- Using the cardboard bailer at Pax River. In conjunction with that, the recycling contract is ready to re-bid and will seek economies in this process.
- Planet Aid is now doing textile recycling.

- Pesticide container collection will occur June 12.
- Convenience Center hours are: 9:30 a.m. to 5:00 p.m. Monday-Friday; 8:00 a.m. to 5:00 p.m. Weekends; looking at extended hours in the p.m., opening later in the day.
- Solid Waste Advisory Committee and staff have put together a questionnaire to be submitted to all residents in the near future. Anticipate 80% response. Convenience Centers are perfect for poling on issues because of the traffic volume.
- Airport:
  - Revenues are at \$134,133 through April 30. Seek consolidation of all expenses into one account in very near future.
  - Operating license has been renewed.
  - Budget
    - Spent \$26,000 in vehicle maintenance during the harsh winter.
    - Had predicted a \$28,000 shortfall there. However, by not filling the airport manager position monies from a/p operating account can be transferred to vehicle maintenance.
  - Environmental Assessment application has been received. It will come before the Board soon. The airport runway extension cannot be started until the assessment is completed.
  - Would like to request a proposal from the FBOs at the airport to obtain operational assistance on daily operations as a trade off with rent reductions. Will ask the Airport Advisory Committee to initiate this.
- The Young Eagles Rally and Pancake Breakfast, sponsored by EAA, will be held on June 14. The goal is to fly over 2 million children by the end of 2003.
- Recycling is a success compared to other counties. However, more can be done and is being done to improve recycling.
- Mowing grass is underway and no overtime will be used.
- STS ridership in April was 20,995; in October 2002, there were 19,715.
- MTA held a public hearing April 19, regarding fare increases. Anticipate 20-30% increase in fares for specific routes.
- Highway User Fees will not cover operational costs next year.
- *Request assistance from the public to locate a 15-20 acre dredge material disposal site within piping limit of St. Jerome's Creek.*

## **DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT**

Present: Denis Canavan, Director Land Use and Growth Management

Mr. Canavan was welcomed as the new Director of Land Use and Growth Management. *Commissioner McKay recommended using customer follow-up surveys and meetings with citizens and organizations to ensure feedback is received regarding customer service.*

## **COUNTY ADMINISTRATOR**

Present: George G. Forrest, Interim County Administrator

1. Draft Agendas: May 27, and June 3, 2003
2. Budget Amendments
  - a. **Lexington Park Plan** (*Robin Finnacom, George Erichsen*)  
To approve and authorize Comm. President to sign Budget Amendment transferring funds from Roadside Obstacles to South Coral Place (\$58,000)

**Commissioner Raley moved, seconded by Commissioner Dement, to authorize**

**Commissioner McKay to sign the budget amendment. Motion carried.**

- b. **Emergency Communications** (*Phil Cooper, Director*)
- (i) To approve and authorize Comm. President to sign budget amendment to offset shortage in telephone account due to enhanced 911 systems services (\$122,428)

Verizon increased and back-charged fees for the enhanced 911 service. *Recommend Mr. Norris look at this issue and file a complaint with the applicable regulatory agency. Also advise our legislators on this issue so it may be addressed in the next legislative session as a public safety issue.*

**Commissioner Raley moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the budget amendment subject to the following conditions: (1) funds will not be released until it is determined that continuation of 911 service is in jeopardy, and, if in jeopardy, to pay the invoice, and (2) if service is not in jeopardy, to not pay the charges until the County Attorney and the Acting EMA Director explore this issue further with the Public Service Commission and Verizon and report back to the Board. Motion carried.**

- (ii) To approve and authorize Comm. President to sign budget amendment to provide funding to cover rental of trailer (\$2,151)

**Commissioner Raley moved, seconded by Commissioner Mattingly, to authorize Commissioner McKay to sign the budget amendment to cover trailer rental. Motion carried.**

3. Grant Applications/Agreements
- a. **Walden Sierra/Marcey House** (*Kathleen O'Brien, Exec. Director; Gary Lynch, Asst. Director/Larry Harvey, Director, Marcey House*)  
To approve and authorize Comm. President McKay to sign Human Services Contract Proposal for FY04 S.T.O.P. grant funding

**Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the contract proposal for S.T.O.P. grant funding. Motion carried.**

- b. **Walden Sierra** (*Kathleen O'Brien*)  
To approve and authorize Commissioner President to sign renewal of the mental health services agreement between St. Mary's County and Walden/Sierra for a three year period.

**Commissioner Jarboe moved, seconded by Commissioner Dement to authorize**

**Commissioner McKay to sign the renewal of mental health services agreement for a three year period. Motion carried.**

- c. **Office on Aging** (*Gene Carter, Jennie Page, Peggy Maio*)  
To approve and authorize Comm. President to sign the Notification of Grant Award for Senior Health Insurance Program (State: \$2,685)

**Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize Commissioner McKay to sign the grant award notification. Motion carried.**

- d. **Recreation and Parks** (*Arthur Shepherd*)  
To approve and authorize Comm. President to sign the Local Management Board Letter of Agreement for Contract Modification (State: \$6,500)

**Commissioner Dement moved, seconded by Commissioner Jarboe, to authorize Commissioner McKay to sign the LMB letter of agreement and contract modification. Motion carried.**

- e. **Office of Community Services** (*Joe Donick, Prevention Coordinator*)  
To approve and authorize Comm. President to sign agreement with SMCPS for SOSAR summer food service program

**Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the agreement for the SOSAR summer food service program. Motion carried.**

4. **Facilities Department** (*Joyce Malone, Property Manager; Richard Rohrbaugh; Director; Fac Mgmt*)  
To approve and authorize Comm. President to sign Easement Agreement with SMECO for electric service to community swimming pool at Great Mills Road.

**Commissioner Raley moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the Easement Agreement with SMECO for electric service to the community swimming pool at Great Mills Road. Motion carried.**

5. **Planning and Zoning Department** (*Sue Veith, Denis Canavan, John Norris*)  
Request authorization to hold public hearing on Clearbrook Farms Growth Allocation

**Commissioner Dement moved, seconded by Commissioner Jarboe, to approve holding a public hearing on Clearbrook Farms growth allocation. Motion carried.**

6. **Recreation and Parks** (*Phil Rollins, John Norris*)  
a. To approve and authorize Comm. President to sign SMECO Street Lighting Change Order form relative to Nicolet Park

**Commissioner Raley moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the SMECO change order relative to Nicolet Park. Motion carried.**

- b. To approve and authorize the Commissioner President to sign the Lease Agreement with Southern Maryland BMX

**Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize Commissioner McKay to sign the lease agreement with Southern Maryland BMX. Motion carried.**

**POSSIBLE ACQUISITION OF GREAT MILLS APARTMENTS PROPERTY THROUGH THE HAZARD MITIGATION GRANT PROGRAM AS SUBMITTED UNDER FEMA DISASTER #1324-DR-MD: DECISION**

Present: Joyce Malone, Property Manager  
Richard Rohrbaugh, Director Facilities Management

No public comment has been received since the public hearing. State Highway Administration is responsible for tenant relocation, which will be accomplished prior to the county taking ownership and demolishing the building.

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to acquire the Great Mills Apartments property through FEMA's Hazard Mitigation Grant Program. Motion carried.**

**COMMISSIONERS' TIME**

Commissioner Dement

- Presented a proclamation at Green Holly Elementary School celebrating "Kids Day America," sponsored by Dr. Alexander, Alexander Chiropractic Center.
- Presented a proclamation to Joseph Miles on his retirement after 30 years.

Commissioner Mattingly

- With Commissioners Dement and McKay, attended the 1<sup>st</sup> National Bank grand opening and ribbon cutting at the new Hollywood Branch office. Congratulations to all.
- With Commissioner Jarboe, attended the top fuel races at the MIR. Over 7,000 people attended.
- Presented a proclamation at the 25<sup>th</sup> anniversary of "Child Welfare Day." Congratulations to Royce Miller on this successful event. Over 7,000 people attended.
- Presented a proclamation on behalf of the Board for the 25<sup>th</sup> Annual Child Welfare Day at the Leonardtown Fire House
- Congratulated Jay Bushell at SMECO.
- Secretary Melissaratos visits to St. Mary's County are appreciated. He has shown great interest in tourism, the Lexington Manor, and Pax River.

- John Nucci introduced us to a group out of Virginia who take their Renaissance Faire to different locations. After working with the tourism department they chose to hold the faire at our fairgrounds. Hope they will come again.

Commissioner Jarboe

- There is no solution for Mr. Gibson yet. *Request Mr. Gibson's concerns be brought before the Board so a variance can be considered.*

Commissioner Raley

- Strongly urge parents to strongly encourage high school students to take advantage of "Project Graduation" and to be careful so there are no tragedies this year.
- Feel that the average citizen is disgusted with the school board and teacher's union rhetoric in the media. Urge all to think of the children first and come to the table with a solution that benefits all -- especially the children.

Commissioner McKay

- County offices and landfills/convenience centers will be closed Monday, May 26. The regular board meeting will be held on Tuesday, May 27.
- Marcey House's golf tournament will be held on Friday, May 23, with proceeds benefiting Marcey House.
- Recruiting is underway for volunteers to serve on boards and commissions. Please call our PIO office at 475-4200 ext.1341 if you are interested.
- The Procurement Committee meets at 5:30 p.m. on May 21, in room 14. Input will be accepted from County staff regarding procurement process and policies.
- The County is seeking 15-20 acres to receive dredging materials from St. Jerome's Creek. Please contact Scott Alexander, DPW&T, at 301-863-8400.

**SO. MD. HERITAGE AREA TOURISM MANAGEMENT PLAN**

Present: Carolyn Laray, Tourism Manager  
David Jenkins, Tri-County Council  
Phil Rollins, Director Rec & Parks  
Linda Springrose, Deputy County Attorney

The management plan is being submitted for approval with a resolution agreeing to do two things: (1) submit the plan to the Maryland Heritage Areas Authority (MHAA) for certification, and (2) agree to include the plan in the St. Mary's County Comprehensive Plan via an amendment to the Comprehensive Plan.

Leonardtown approved the plan and a resolution is on-hand. Calvert and Charles counties signed the resolution and approved the plan. Have appeared before the Planning Commission and they are amenable to begin the process of amending the comprehensive plan contingent upon state certification. There is a draft MOU with the Tri-County Council and county attorneys for review. Funding for the plan is covered under the tourism budget for five years.

The timeframe for certification would: (1) submit on June 5, (2) MHAA will hold their technical advisory review on June 19, and hold a public hearing (3) expect decision July 8 on certification.

SMC anticipates holding a public hearing July 14, and the consortium start up would begin in August and by September the Planning Commission decision should be received. An application for matching funds would be sent to MHAA by October 9, and the grant should be awarded thereafter.

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve the resolution and (1) submit the plan to the Maryland Heritage Areas Authority (MHAA) for state certification, and (2) to include the plan in the St. Mary's County Comprehensive Plan via an amendment. Commissioner Raley voted against this motion. Motion carried 4-1.**

## **EXECUTIVE SESSIONS**

**Commissioner Jarboe moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Litigation, as provided for in Articles 24, Section 4-210(a)1. Motion carried. Commissioner Jarboe indicated he would recuse himself from discussions related to Island Publishing.**

**Commissioner Dement moved, seconded by Commissioner Raley, to meet in Executive Session to discuss matters of Personnel as provided for in Articles 24, Section 4-210(a)8. Motion carried. Commissioner Jarboe voted against this motion. Motion carried 4-1.**

## **Litigation**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
George G. Forrest, Interim County Administrator  
Donna Gebicke, Recorder

**Authority:** Article 24, Section 4-210(a)1

**Time Held:** 2:40 pm – 4:50 p.m.

**Action Taken:** The Commissioners received an update on pending litigation issues and gave direction to staff.

**Personnel**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly  
Commissioner Daniel H. Raley  
George G. Forrest, Interim County Administrator  
Donna Gebicke, Recorder

**Authority:** Article 24, Section 4-210(a)8

**Time Held:** 4:51 pm – 5:02 p.m.

**Action Taken:** The Commissioners discussed personnel issues and gave direction to staff.

**ACTION FROM EXECUTIVE SESSION**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to authorize staff to proceed as directed on litigation issues. Motion carried.**

**Commissioner Raley moved, seconded by Commissioner Mattingly, to authorize Human Resources Director to proceed as directed on personnel matters. Motion carried.**

**Commissioner Jarboe moved, seconded by Commissioner Dement, to appoint interim County Administrator George Forrest, as Chair of the Sheriff's Office Retirement Board effectively immediately. Motion carried.**

**ADJOURN**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to adjourn the meeting at 5:06 pm.**

**Minutes Approved by the  
Board of County Commissioners on \_\_\_\_\_**

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**Donna Gebicke, Administrative Assistant  
to the Board of County Commissioners**